

DISCIPLINARY ACTION

TWO-YEAR PRIVATE PROBATION. ODC File No. 105260-B. Effective Date: September 6, 2013

A Delaware lawyer was placed on private probation for two years for violations of the Delaware Lawyers' Rules of Professional Conduct ("Rules") in connection with his failure to maintain his books and records and for misrepresenting the status of his books and records on his 2010 Certificate of Compliance. The private sanction was offered by a panel of the Preliminary Review Committee ("PRC"), and imposed with the consent of the lawyer. The lawyer admitted violations of **Rule 1.15(b)**, **Rule 8.4(c)** and **Rule 8.4(d)** for failing to maintain his books and records and by filing with the Supreme Court the 2010 and 2011 Certificates of Compliance which contained inaccurate representations to the Court relating to the status of his books and records. In offering the sanction of a two-year private probation, the PRC considered the following mitigating factors: (1) the absence of a prior disciplinary record; and (2) the remedial measures the lawyer took to resolve the problems.